

Bayfield County Clerk

Lynn M. Divine, County Clerk

Kim Mattson, *Accountant*
Gail M. Reha, *Bookkeeper*

Jeran Delaine, *Deputy Clerk*
Paige Terry, *Clerk III*



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Minutes of the: **Bayfield County Board of Supervisors' Meeting** **October 26th, 2021 6:00 p.m.**

Meeting Held in the Bayfield County Board Room, Courthouse, Washburn, WI
& Remotely

The meeting of the Bayfield County Board of Supervisors was called to order at 6:00 p.m. by Bayfield County *Chairman* Dennis M. Pocernich. A roll call was taken by *County Clerk*- Lynn Divine, as follows: Steve Sandstrom-present; Larry Fickbohm-present; Jeff Silbert-present; Fred Strand-present; Marty Milanowski-present; Jim Crandall-present virtually; Mary Dougherty-absent; Charly Ray-present; Jeremy Oswald-present; David Zepczyk-present; Tom Snilsberg-present virtually; Brett Rondeau-present. Total: 12 present, 1 absent. A quorum was present to conduct business.

The following were also present for today's meeting: *County Administrator*- Mark Abeles-Allison; *County Clerk*- Lynn M. Divine; *Health Director*-Sara Wartman virtually; *Planning & Zoning Director*-Rob Schierman virtually; *Corporation Counsel*-John Carlson virtually; *Clerk III*- Paige Terry virtually

Others Present: Danielle Kaeding, Lois Palmer, David Popelka, and Darrell Pendergrass.

3. **Pledge of Allegiance:** The Pledge of Allegiance was recited by all in attendance.

4. **Public Hearing, 2022 Bayfield County Budget:**

Abeles-Allison informed the board that the Executive Committee made a number of modifications to the previously presented budget. The publication for the Budget Hearing had been published in the Ashland Daily Press on Tuesday, October 5, 2021. Bayfield County's 2022 budget is \$17,361,323 which is a 9.7% increase from 2021. Abeles-Allison explained that the large increase is due in part to a number of capital projects that are set to begin in 2022. New funds to the budget include ARPA dollars for the approximate amount of \$2.94 million with most funds committed to projects that have already begun or are set to begin at a later date. Roughly \$0.5 million has been allocated to the Highway Department projects as well as the roofing project of the annex building.

Motion by Rondeau, seconded by Milanowski to approve the 2022 Bayfield County Budget as presented. Motion carried.

Abeles-Allison reported that the mill levy request amount is \$11,484,814, a 1.52% increase from 2021, and includes short-term borrowing for the Highway Department. In 2022 the mill rate will decrease by 0.26 mills down to 3.93 mills. The changes are due to allocating levy dollars to bridge aid, projects that weren't completed in the previous year that will now be completed next year, and new projects being taken on.

6:10 p.m. – Mary Dougherty joined the meeting.

Danielle Kaeding asked why the budget is up 19% from last year. Abeles-Allison answered that a large portion of funds is coming from ARPA dollars, and primarily because projects have been

delayed in 2021 and will be completed in 2022 instead. Abeles-Allison further explained that a lot of costly projects will require one-time funding.

Motion by Silbert, seconded by Rondeau to approve the 2022 Tax Levy as presented. Motion carried.

Motion by Rondeau, seconded by Milanowski to close the public hearing and open up the meeting as a whole. Motion carried.

5. Public Health Update:

Abeles-Allison read a report prepared by the Health Department to the board. COVID-19 cases continue to increase. An increase in cases may be linked to an outbreak in the area following a football game. Abeles-Allison reviewed the recommendations from the CDC and Health Department that inform citizens of precautionary measures that should be taken and what to do if you feel ill. A key issue surrounding the increase in cases are the hospitalization rates. Wartman reported that the elevated number of cases in Bayfield County continue, and the Health Department continues to provide vaccine clinics twice a week. The Moderna vaccine has recently been approved to be provided as a booster shot for those that are immunocompromised as well as those that run a higher risk of contracting the virus at work. The Health Department is working on developing a plan to distribute the vaccine to the 5–11-year-old population.

6. Public Comment:

David Popelka, Cable, informed the board that he had an item listed later in the agenda, but asked the board to postpone taking any action on the item. *Chairman* Pocernich stated that Popelka's comments would be taken into consideration, but he would need to wait until they get to that specific agenda item before a decision would be made.

Lois Palmer, Clover, spoke on behalf of the people of Clover and asked where the County stood with the KLR bottling water issue and what stage the issue was at now. Palmer stated that the citizens were concerned about the issue and wanted to make sure the proper steps are being taken.

7. Discussion and Possible Action, Minutes from September 21, 2021, and September 30, 2021:

Motion by Milanowski, seconded by Rondeau to approve the Minutes of the Monthly Bayfield County Board of Supervisors Meeting held on September 21, 2021. Motion carried, 13-0.

Motion by Milanowski, seconded by Rondeau to approve the Minutes of the Special Bayfield County Board of Supervisors Meeting held on September 30, 2021. Motion carried, 13-0.

8. Bayfield County Resolution No. 2021-83:

Retirement of Craig Sauld

WHEREAS, Craig Sauld has served Bayfield County with distinction, honor and dedication in the Bayfield County Sheriff's Office for 26 years,

NOW, THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 26th day of October, 2021, honors Craig Sauld for his 26 years of public service to Bayfield County and expresses gratitude for his efforts, wishing him well in the years ahead.

Motion by Oswald, seconded by Fickbohm to adopt Resolution No. 2021-83 In Recognition and Appreciation of Craig Sauld for 26 Years of Commitment and Service in the Bayfield County Sheriff's Office. Motion carried, 13-0.

9. Bayfield County Resolution No. 2021-84:

To Accept Immunization COVID Grant Funding for the Bayfield County Health Department

WHEREAS, the Bayfield County Health Department has received grant funding in the amount of \$44,300.00 from the Wisconsin Department of Health and Human Services to allow the local Health Departments to provide COVID-19 vaccine in an accessible, culturally relevant manner to underserved and/or under-vaccinated communities. This is achieved by providing staffing for planning and implementing clinics, funding for communications related to vaccination clinics and outreach targeted for vaccination, and any site-specific needs and supplies. Grant start date is July 1, 2021. Total award to be expended by June 30, 2024; *and*,

WHEREAS, the 2021 Budget does not contain any projections to account for any revenue or expenditures for said grant; *and*,

WHEREAS, it is the desire of the Bayfield County Board of Health to accept and expend said grant in 2021.

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 26th day of October, hereby authorizes the use of Revenue Account Number 100-20-43550-809 and Expense Account Number 100-20-54151 for the Immunization Covid Grant; *and*,

BE IF FURTHER RESOLVED, that the Bayfield County Board of Supervisors hereby amends the 2021 budget by \$44,300.00 for grant revenue/expenses:

Increase Revenue:	100-20-43550-809	by	\$44,300
Increase Expenditures:	100-20-54151-50121	by	\$ 7,500
	100-20-54151-50123	by	\$ 27,000
	100-20-54151-50151	by	\$ 2,639
	100-20-54151-50152	by	\$ 506
	100-20-54151-50154	by	\$ 3,000
	100-20-54151-50155	by	\$ 40
	100-20-54151-50391	by	<u>\$ 3,615</u>
Total Expenditures			\$44,300

Motion by Oswald, seconded by Dougherty to adopt Resolution No. 2021-84 To Accept Immunization COVID Grant Funding for the Bayfield County Health Department. Motion carried, 13-0.

10. Bayfield County Resolution No. 2021-85:

To Accept American Rescue Plan Act (ARPA) Coronavirus Fiscal Recovery Funding for the Bayfield County Health Department

WHEREAS, the Bayfield County Health Department has received grant funding in the amount of \$338,900.00 from the American Rescue Plan Act (ARPA) to support local health departments to meet their needs related to response and recovery from the COVID-19 pandemic. Some of the funding purposes are COVID-19 mitigation and prevention, public health and safety staff and improving the design and execution of public health programs. Grant start date is March 1, 2021. Total award to be expended by December 31, 2024; *and*,

WHEREAS, the 2021 Budget does not contain any projections to account for any revenue or expenditures for said grant; *and*,

WHEREAS, it is the desire of the Bayfield County Board of Health to accept and expend said grant in 2021.

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 26th day of October, hereby authorizes the use of Revenue Account Number 100-20-43550-811 and Expense Account Number 100-20-54152 for the ARPA Recovery Fund; *and*,

BE IF FURTHER RESOLVED, that the Bayfield County Board of Supervisors hereby amends the 2021 budget by \$338,900.00 for grant revenue/expenses:

Increase Revenue:	100-20-43550-811	by	\$338,900
Increase Expenditures:	100-20-54152-50121	by	\$175,000
	100-20-54152-50122	by	\$ 10,000
	100-20-54152-50123	by	\$ 10,000
	100-20-54152-50151	by	\$ 14,918
	100-20-54152-50152	by	\$ 11,813
	100-20-54152-50154	by	\$ 75,000
	100-20-54152-50155	by	\$ 60
	100-20-54152-50290	by	\$ 30,000
	100-20-54152-50391	by	\$ 5,000
	100-20-54152-50390	by	<u>\$ 7,109</u>
Total Expenditures			\$338,900

Motion by Oswald, seconded by Silbert to adopt Resolution No. 2021-85 To Accept American Rescue Plan Act (ARPA) Coronavirus Fiscal Recovery Funding for the Bayfield County Health Department. Motion carried, 13-0.

11. Bayfield County Resolution No. 2021-86:

To Accept Public Health Workforce Grant Funding for the Bayfield County Health Department

WHEREAS, the Bayfield County Health Department has received grant funding in the amount of \$64,700.00 from the Wisconsin Department of Health and Human Services to establish, expand, train and sustain the local public health workforce to support COVID-19 prevention, preparedness, response and recovery initiatives. This will include the re-hiring of temporary employees to assist with contact tracing and disease investigation. Grant start date is July 1, 2021. Total award to be expended by June 30, 2023; *and*,

WHEREAS, the 2021 Budget does not contain any projections to account for any revenue or expenditures for said grant; *and*,

WHEREAS, it is the desire of the Bayfield County Board of Health to accept and expend said grant in 2021.

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 26th day of October, hereby authorizes the use of Revenue Account Number 100-20-43550-802 and Expense Account Number 100-20-54153 for the Immunization Covid Grant; *and*,

BE IF FURTHER RESOLVED, that the Bayfield County Board of Supervisors hereby amends the 2021 budget by \$64,700.00 for grant revenue/expenses:

Increase Revenue:	100-20-43550-802	by	\$64,700
Increase Expenditures:	100-20-54153-50121	by	\$25,000
	100-20-54153-50123	by	\$15,000
	100-20-54153-50151	by	\$ 3,060
	100-20-54153-50152	by	\$ 1,688
	100-20-54153-50154	by	\$12,000
	100-20-54153-50155	by	\$ 60
	100-20-54153-50390	by	\$ 2,892
	100-20-54153-50810	by	<u>\$ 5,000</u>
Total Expenditures			\$64,700

Motion by Oswald, seconded by Fickbohm to adopt Resolution No. 2021-86 To Accept Public Health Workforce Grant Funding for the Bayfield County Health Department. Motion carried, 13-0.

12. Report of the Bayfield County Planning and Zoning Committee No. 2021-09:

No. 2021- 09

REPORT OF THE BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE

TO: The County Board of Supervisors of Bayfield County on the hearing of petitions to amend the Bayfield County Zoning Ordinance.

The Planning and Zoning Committee of the Bayfield County Board of Supervisors, having held a public hearing pursuant to Section 59.69(5)(e), Wisconsin Statutes; notice thereof having been given as provided by law; and having been duly informed of the facts pertinent to the following changes; hereby recommends the following action on said petition:

The Zoning of **David Popelka (2) Parcels**

Parcel #1 is a 20.29-acre parcel (Tax ID #10147) in Doc #402032 (V. 569, P. 140); described as (N ½ of Block 18, Assessors Plat No. 2 (fka: SW SE, less CSM #883 & V. 674, P. 409)

Parcel #2 is a 40.37-acre parcel (Tax ID #10152) in V. 569, P. 140; described as Block 19, Assessors Plat #2, both in Section 18, Township 43 North, Range 7 West, Town of Cable, Bayfield County, WI

from Residential-One (R-1) to Residential-Four (R-4)

Motion by Silbert, seconded by Rondeau to receive and place on file Report No. 2021-09 Petition to Change District Boundaries of a parcel owned by David Popelka, Town of Cable, from Residential-One (R-1) to Residential-Four (R-4). Motion carried, 13-0.

13. **Bayfield County Ordinance No. 2021-09:**

No. 2021-09

**The Bayfield County Board of Supervisors ordains as follows:
That the Bayfield County Zoning Ordinance, adopted June 1, 1976, be and the same, is
hereby amended as follows:**

WHEREAS, Wisconsin Statutes §59.69 (5) authorizes the County Board to adopt a zoning ordinance; and

WHEREAS, Wisconsin Statutes §59.69(5)(e) authorizes the County Board to change district boundaries;
and

WHEREAS, it is deemed in the best interest of the County of Bayfield that the District Boundaries be further
modified and amended in the manner hereinafter set forth;

NOW, THEREFORE, the Bayfield County Board of Supervisors does hereby ordain as follows:

The Zoning of **David Popelka (2) Parcels**

Parcel #1 is a 20.29-acre parcel (Tax ID #10147) in Doc #402032 (V. 569, P. 140); described as (N ½ of
Block 18, Assessors Plat No. 2 (fka: SW SE, less CSM #883 & V. 674, P. 409)

Parcel #2 is a 40.37-acre parcel (Tax ID #10152) in V. 569, P. 140; described as Block 19, Assessors Plat
#2, both in Section 18, Township 43 North, Range 7 West, Town of Cable, Bayfield County, WI

from Residential-One (R-1) to Residential-Four (R-4)

*After discussion and amendment motion by Silbert, seconded by Zepczyk to postpone taking
action on Ordinance No. 2021-09 Petition to Change District Boundaries of a parcel owned by
David Popelka, Town of Cable, from Residential-One (R-1) to Residential-Four (R-4) until the
January 25, 2022 monthly County Board of Supervisors meeting. Motion carried, 13-0.*

14. **Report of the Bayfield County Planning and Zoning Committee No. 2021-10:**

No. 2021- 10

REPORT OF THE BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE

TO: The County Board of Supervisors of Bayfield County on the hearing of petitions to amend the Bayfield County Zoning Ordinance.

The Planning and Zoning Committee of the Bayfield County Board of Supervisors, having held a public hearing pursuant to Section 59.69(5)(e), Wisconsin Statutes; notice thereof having been given as provided by law; and having been duly informed of the facts pertinent to the following changes; hereby recommends the following action on said petition:

The Zoning of D **Patrick & Marlys McCullough** parcel a 13.6-acre parcel (Tax ID #38249) in Doc# 424317; described as Lot 1, CSM #2117, (Doc #2020R-581852).

The Zoning of **David & Karen Grandstand** parcel a 3-acre parcel (Tax ID# 38250) in Doc# 2021R-587787, described as Lot 2, CSM# 2117 (Doc #2020R-581852),

both parcels are in Section 17, Township 44 North, Range 9 West, Town of Barnes, Bayfield County, WI **requesting from R-1/R-3 to R-1.**

Motion by Rondeau, seconded by Ray to receive and place on file Report No. 2021-10 Petition to Change District Boundaries of two parcels, one parcel owned by Patrick and Marlys McCullough, Town of Barnes, and one parcel owned by David and Karen Grandstand, Town of Barnes, from Residential-1/Residential-3 to Residential-One (R-1). Motion carried, 13-0.

15. Bayfield County Ordinance No. 2021-10:

No. 2021- 10

The Bayfield County Board of Supervisors ordains as follows:

That the Bayfield County Zoning Ordinance, adopted June 1, 1976, be and the same, is hereby amended as follows:

WHEREAS, Wisconsin Statutes §59.69 (5) authorizes the County Board to adopt a zoning ordinance; and

WHEREAS, Wisconsin Statutes §59.69(5)(e) authorizes the County Board to change district boundaries; and

WHEREAS, it is deemed in the best interest of the County of Bayfield that the District Boundaries be further modified and amended in the manner hereinafter set forth;

NOW, THEREFORE, the Bayfield County Board of Supervisors does hereby ordain as follows:

The Zoning of D **Patrick & Marlys McCullough** parcel a 13.6-acre parcel (Tax ID #38249) in Doc# 424317; described as Lot 1, CSM #2117, (Doc #2020R-581852).

The Zoning of **David & Karen Grandstand** parcel a 3-acre parcel (Tax ID# 38250) in Doc# 2021R-587787, described as Lot 2, CSM# 2117 (Doc #2020R-581852),

both parcels are in Section 17, Township 44 North, Range 9 West, Town of Barnes, Bayfield County, WI **requesting from R-1/R-3 to R-1.**

Motion by Rondeau, seconded by Silbert to adopt Ordinance No. 2021-10 Petition to Change District Boundaries of two parcels, one parcel owned by Patrick and Marlys McCullough, Town of Barnes, and one parcel owned by David and Karen Grandstand, Town of Barnes, from Residential-1/Residential-3 to Residential-One (R-1). Motion carried, 13-0.

16. **Report of the Bayfield County Planning and Zoning Committee No. 2021-11:**

No. 2021- 11

REPORT OF THE BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE

TO: The County Board of Supervisors of Bayfield County on the hearing of petitions to amend the Bayfield County Zoning Ordinance.

The Planning and Zoning Committee of the Bayfield County Board of Supervisors, having held a public hearing pursuant to Section 59.69(5)(e), Wisconsin Statutes; notice thereof having been given as provided by law; and having been duly informed of the facts pertinent to the following changes; hereby recommends the following action on said petition:

***AN ORDINANCE AMENDING SECTION 15-1-22, CODE OF ORDINANCES,
BAYFIELD COUNTY, WISCONSIN.***

Section 15-1-22 [Appeals] of Article F [Administration and Enforcement] of Chapter 1 [Zoning] of Title 15 [Sanitary & Private Sewage Code] of the Code of Ordinances, Bayfield County, Wisconsin is hereby "*deleted*" to read as follows, with deletion(s) highlighted by the double strike-through feature (~~deletions~~):

Sec. 15-1-22 Appeals.

~~Any person who alleges that there is an error in any order, requirement or decision made in the enforcement of this ordinance may appeal to the Planning and Zoning Committee. Any appeal shall be made on forms furnished by the County within 30 days of the date of that administrative action. Other substantiating evidence will be accepted.~~

Motion by Rondeau, seconded by Sandstrom to receive and place on file Report No. 2021-11 Amending Section 15-1-22 in the Bayfield County Code of Ordinances. Motion carried, 13-0.

17. **Bayfield County Ordinance No. 2021-11:**

No. 2021- 11

**The Bayfield County Board of Supervisors ordains as follows:
That the Bayfield County Zoning Ordinance, adopted June 1, 1976, be and the same, is
hereby amended as follows:**

AN ORDINANCE AMENDING SECTION 15-1-22 CODE OF ORDINANCES, BAYFIELD COUNTY, WISCONSIN.

WHEREAS, Wisconsin Statutes §59.69 (5) authorizes the County Board to adopt a zoning ordinance; and

WHEREAS, Wisconsin Statutes §59.69(5)(e) authorizes the County Board to amend an ordinance; and

WHEREAS, Section 13-1-104 Code of Ordinances, Bayfield County, Wisconsin authorizes the County Board to make amendments to Title 13, Chapter 1 of the Code of Ordinances, Bayfield County, Wisconsin pursuant to Wisconsin Statutes §59.69; and

WHEREAS, it is deemed in the best interest of the County of Bayfield to amend Section 15-1-22 (Appeals), Chapter 1 (Zoning) of Article F (Sanitary & Private Sewage Code) of Title 15 Code of Ordinances, Bayfield County, Wisconsin to "~~delete~~" the entire section pertaining to appeals to Planning and Zoning Committee;

WHEREAS, it is deemed in the best interest of the County of Bayfield that the Code of Ordinances, Bayfield County, Wisconsin be further modified and amended in the manner hereinafter set forth;

NOW, THEREFORE, the Bayfield County Board of Supervisors does hereby ordain as follows:

Section 1. Section 15-1-22 [Appeals] of Article F [Administration and Enforcement] of Chapter 1 [Zoning] of Title 15 [Sanitary & Private Sewage Code] of the Code of Ordinances, Bayfield County, Wisconsin is hereby "~~deleted~~" to read as follows, with deletion(s) highlighted by the double strike-through feature (~~deletions~~):

Sec. 15-1-22 Appeals.

~~Any person who alleges that there is an error in any order, requirement or decision made in the enforcement of this ordinance may appeal to the Planning and Zoning Committee. Any appeal shall be made on forms furnished by the County within 30 days of the date of that administrative action. Other substantiating evidence will be accepted.~~

Section 2. Except as specifically modified and amended by this ordinance, the Bayfield County Code of Ordinance shall remain in force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this ordinance are hereby repealed.

Section 3. **SEVERABILITY.** If a court of competent jurisdiction adjudges any section, clause, provision, or portion of this ordinance unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby.

Section 4. **EFFECTIVE DATE.** This ordinance shall take effect and be in full force from and after its passage.

Motion by Rondeau, seconded by Sandstrom to adopt Ordinance No. 2021-11 Amending Section 15-1-22 in the Bayfield County Code of Ordinances. Motion carried, 13-0.

18. **Report of the Bayfield County Planning and Zoning Committee No. 2021-12:**

No. 2021- 12

REPORT OF THE BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE

TO: The County Board of Supervisors of Bayfield County on the hearing of petitions to amend the Bayfield County Zoning Ordinance.

The Planning and Zoning Committee of the Bayfield County Board of Supervisors, having held a public hearing pursuant to Section 59.69(5)(e), Wisconsin Statutes; notice thereof having been given as provided by law; and having been duly informed of the facts pertinent to the following changes; hereby recommends the following action on said petition:

AN ORDINANCE AMENDING SECTIONS 13-1-62, CODE OF ORDINANCES, BAYFIELD COUNTY, WISCONSIN.

Section 13-1-62 [Classification of Uses] of Article D [Zoning Districts] of Chapter 1 [Zoning] of Title 13 [Zoning Code] of the Code of Ordinances, Bayfield County, Wisconsin is hereby "*deleted*" to read as follows, with deletion(s) highlighted by the double strike-through feature (~~deletions~~):

Sec. 13-1-62 Classification of Uses

PERMISSIBLE USES	R-4												
	R-3	R-2	R-RB	C	I	M	A-1	A-2	F-1	F-2	W	M-M	
	R-1												
	Bottling Plant					G							

Motion by Rondeau, seconded by Zepczyk to receive and place on file Report No. 2021-12 Amending Section 13-1-62 in the Bayfield County Code of Ordinances. Motion carried, 13-0.

19. **Bayfield County Ordinance No. 2021-12:**

No. 2021-12

The Bayfield County Board of Supervisors ordains as follows:
That the Bayfield County Zoning Ordinance, adopted June 1, 1976, be and the same, is
hereby amended as follows:

AN ORDINANCE AMENDING SECTION 13-1-62 AND 15-1-22 CODE OF ORDINANCES, BAYFIELD COUNTY, WISCONSIN.

WHEREAS, Wisconsin Statutes §59.69 (5) authorizes the County Board to adopt a zoning ordinance; and

WHEREAS, Wisconsin Statutes §59.69(5)(e) authorizes the County Board to amend an ordinance; and

WHEREAS, Section 13-1-104 Code of Ordinances, Bayfield County, Wisconsin authorizes the County Board to make amendments to Title 13, Chapter 1 of the Code of Ordinances, Bayfield County, Wisconsin pursuant to Wisconsin Statutes §59.69; and

WHEREAS, it is deemed in the best interest of the County of Bayfield to amend the table listed under Section 13-1-62(a) Code of Ordinances, Bayfield County, Wisconsin to remove the letter (C) in the industrial column; under Bottling Plant; and

WHEREAS, it is deemed in the best interest of the County of Bayfield that the Code of Ordinances, Bayfield County, Wisconsin be further modified and amended in the manner hereinafter set forth;

NOW, THEREFORE, the Bayfield County Board of Supervisors does hereby ordain as follows:

Section 1. Section 13-1-62 [Classification of Uses] of Article D [Zoning Districts] of Chapter 1 [Zoning] of Title 13 [Zoning Code] of the Code of Ordinances, Bayfield County, Wisconsin is hereby "~~deleted~~" to read as follows, with deletion(s) highlighted by the double strike-through feature (~~deletions~~):

Sec. 13-1-62 Classification of Uses

PERMISSIBLE USES	R-4 R-3 R-1	R-2	R-RB	C	I	M	A-1	A-2	F-1	F-2	W	M-M
Bottling Plant					G							

Section 2. Except as specifically modified and amended by this ordinance, the Bayfield County Code of Ordinance shall remain in force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this ordinance are hereby repealed.

Section 3. **SEVERABILITY.** If a court of competent jurisdiction adjudges any section, clause, provision, or portion of this ordinance unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby.

Section 4. **EFFECTIVE DATE.** This ordinance shall take effect and be in full force from and after its passage.

Discussion took place regarding the impact that the ordinance change may have on the county. Schierman clarified that the enactment of the ordinance would not negatively impact and currently run business in the county.

Motion by Strand, seconded by Zepczyk to adopt Ordinance No. 2021-12 Amending Section 13-1-62 in the Bayfield County Code of Ordinances. Motion carried, 13-0.

20. Bayfield County Resolution No. 2021-87:

Bayfield County Fairgrounds Electrical Work Budget Amendment

WHEREAS, on March 11, 2021 the Bayfield County Executive Committee approved a budget amendment in the amount of \$50,000 for electrical work completion at the Bayfield County Fairgrounds; *and*,

WHEREAS, funds for the project were dedicated from the county contingency fund; *and*,

WHEREAS, the electrical project is funded through the Capital Improvements Project; *and*

WHEREAS, because a transfer of funds between the General and Capital Improvement funds is required, a budget amendment is needed.

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 26th day of October, does hereby approve the following budget amendments be made transferring funds from the General Fund to the Capital Improvement Funds for the fairgrounds electrical project:

Increase Transfer to 430 Fund:	100-00-59430-50820	by	\$50,000
Decrease Contingency Fund:	100-00-59430-50820	by	\$50,000
Increase Capital Expenditures:	430-23-57100-50820-100	by	\$50,000
Increase Transfer from Other Funds:	430-70-49201	by	\$50,000

Motion by Rondeau, seconded by Fickbohm to adopt Resolution No. 2021-87 Bayfield County Fairgrounds Electrical Work Budget Amendment. Roll Call Vote: Dougherty-yes; Fickbohm-yes; Sandstrom-yes; Silbert-yes; Oswald-yes; Ray-yes; Snilsberg-yes; Strand-yes; Rondeau-yes; Milanowski-yes; Zepczyk-yes; Crandall-yes; Pocernich-yes. Motion carried, 13-0.

21. Bayfield County Resolution No. 2021-88:

Courthouse Stair & Sidewalk Replacement Project Contingency Fund Budget Amendment

WHEREAS, the steps leading up to the front entrance of the Bayfield County courthouse and numerous sections of sidewalk around the courthouse were in need of replacement and a project was proposed to complete the necessary repairs; *and*,

WHEREAS, on March 11, 2021, the Bayfield County Executive Committee approved a transfer of up to \$26,000 from the contingency fund to be used for the Courthouse Steps and Sidewalk Replacement Project; *and*,

WHEREAS, the Executive Committee also voted to decrease the originally budgeted \$20,000 from the highway budget for removing sidewalk; *and*,

WHEREAS, work on the Courthouse Stair and Sidewalk Replacement Project was completed in July 2021; *and*,

WHEREAS, a budget amendment is now needed to transfer the appropriate funds for the Project.

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 26th day of October, does hereby approve the following budget amendments for the transfer of funds from the contingency fund to pay for the remainder of the Courthouse Stair and Sidewalk Replacement Project costs:

Decrease Expenses:	100-00-51602-50290	by	\$20,000
	100-00-51410-50000	by	\$14,405
	430-14-57100-50820	by	\$19,000
Increase Expenses:	100-00-59430-50820	by	\$34,405
	430-14-57100-50820-116	by	\$53,405
Increase Revenue:	430-70-49201	by	\$34,405

Motion by Rondeau, seconded by Zepczyk to adopt Resolution No. 2021-88 Courthouse Stair & Sidewalk Replacement Project Contingency Fund Budget Amendment. Roll Call Vote: Oswald-yes; Strand-yes; Zepczyk-yes; Ray-yes; Sandstrom-yes; Rondeau-yes; Dougherty-yes; Milanowski-yes; Fickbohm-yes; Snilsberg-yes; Crandall-yes; Pocernich-yes; Silbert-abstain. Motion carried, 12-0, 1 abstain.

22. Bayfield County Resolution No. 2021-89:

**American Rescue Plan Act (ARPA) Projects Funding Budget
Amendment, # 4**

WHEREAS, on September 21, 2021, the Bayfield County Board of Supervisors approved five additional projects for American Rescue Plan Act (ARPA) Funding; *and*,

WHEREAS, the five projects are listed as:

- Phone System Upgrades or Window Replacement at the Northern Lights Nursing Home
- Funding Additional Staffing for the Bayfield County Health Department for Fall of 2021
- Relocating the Bayfield County Clerk of Court Office
- Countywide On-Demand Transportation Through the BART System
- Acquiring a New Command Trailer for the Bayfield County Emergency Management Department; *and*,

WHEREAS, Supporting the Public Health Response is allowed under the COVID-19 Mitigation and Prevention sections, pages 18 of Interim General ARPA guidelines; *and*,

WHEREAS, the Northern Lights Nursing Home owned by Bayfield County is currently utilizing an outdated and inefficient phone system that is in desperate need of upgrading;

WHEREAS, the Northern Lights Nursing Home facility windows are inefficient for the warmer summer months, cold winter months, and are in desperate need of upgrading; *and*,

WHEREAS, Estimated costs are \$150,000 to upgrade the facilities phone system or replace necessary windows throughout the nursing facility serving a very vulnerable population that has been disproportionately impacted by COVID in Bayfield County; *and*,

WHEREAS, the Bayfield County Health Department is need of additional staff to provide the necessary services to combat the COVID-19 pandemic; *and*,

WHEREAS, Estimated costs are \$60,000 for providing enough funds to the Department to employ the appropriate amount of staff members to assist with the Department's functions; *and*,

WHEREAS, improving upon government services is allowed under sections 602(c)(1)(C) and 603(c)(1)(C) of the ARPA guidelines; *and*,

WHEREAS, the Bayfield County Clerk of Court Office is currently located in a position that is both inconvenient and poses potential safety risks for both Bayfield County staff and citizens; *and*,

WHEREAS, the Bayfield County Clerk of Court Office needs to relocate to a more suitable location that would minimize client need to travel through the courthouse for essential court services during and after hours and would provide a greater level of confidentiality to clients; *and*,

WHEREAS, there are circumstances when the courthouse is closed but the Courtroom needs to remains open, this move would place the Clerk of Court Adjacent to the Courtroom; reducing contact of the public with staff and expedite their visit in the courthouse; *and*

WHEREAS, Estimated costs are \$200,000 to relocate the Bayfield County Clerk of Court Office; *and*,

WHEREAS, Addressing Negative Economic Impacts Caused by the Public Health Emergency is allowed under the COVID-19 Mitigation and Prevention section of the ARPA guidelines; *and*,

WHEREAS, Public transportation throughout Bayfield County is limited by the availability of the Bay Area Rural Transit (BART) system; *and*,

WHEREAS, Bayfield County is seeking to match funds with the BART system to offer countywide on-demand transportation to Bayfield County citizens so they may travel anywhere in Bayfield County and to Ashland County; *and*,

WHEREAS, Bayfield County will match the funds for a total of 6 rides a day; *and*,

WHEREAS, estimated costs are \$50,000 to match funds with the BART system for six funded rides a day for the next two (2) years; *and*,

WHEREAS, page the General Interim rule, pages 131 and 105 note transportation as a vital service; *and*

WHEREAS, the Bayfield County Emergency Management Department has proposed purchasing a emergency response trailer to be used for health department vaccines and clinics and other emergency response operations during all weather; *and*

WHEREAS, estimated costs are \$40,000 to purchase a new command trailer; *and*,

WHEREAS, additional justification for each of the five projects is made on Bayfield County ARPA Project Justification Document, citing interim rule provisions.

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 26th day of October, approve the following budget amendments to fund the four previously described projects:

Increase Revenues:	276-00-43333	by	\$500,000
Increase Expenditures:	276-00-54210-50720	by	\$150,000
	276-20-54101-50290	by	\$ 60,000
	276-14-57100-50820	by	\$200,000
	276-00-55140-50720	by	\$ 50,000
	276-18-57100-50810	by	<u>\$ 40,000</u>
Total Expenses:			\$500,000

Motion by Oswald, seconded by Sandstrom to adopt Resolution No. 2021-89 American Rescue Plan Act (ARPA) Projects Funding Budget Amendment, #4. Roll Call Vote: Milanowski-yes; Snilsberg-yes; Silbert-yes; Sandstrom-yes; Dougherty-yes; Fickbohm-yes; Ray-yes; Oswald-yes; Strand-yes; Rondeau-yes; Zepczyk-yes; Crandall-yes; Pocernich-yes. Motion carried, 13-0.

23. Bayfield County Resolution No. 2021-90:

Bridge Aid Allotment Resolution to the Town of Lincoln for 2016 Flood Damage and Budget Amendment

WHEREAS, in 2016 the Hawkins Creek culvert on Snake Trail Road was washed out during a flood event; *and*,

WHEREAS, the Town of Lincoln submitted a request with FEMA to replace it with a bridge; *and*,

WHEREAS, FEMA approved the request and the bridge was installed; *and*,

WHEREAS, construction and engineering costs for the new bridge was \$313,710.91; *and*,

WHEREAS, FEMA authorized payment of 87.5% of costs, or \$274,497.05, leaving a balance of \$39,213.86; *and*,

WHEREAS, the Town of Lincoln requested Bridge Aid to cover 50% of the remaining balance, or \$19,606.93; *and*,

WHEREAS, the Highway committee motioned to approve the funding request at their October 6, 2021 meeting; *and*,

WHEREAS, in the 2017 budget, Bayfield County approved \$30,000 for Flood Related Damages as shown below:

7. Bridge Aid: \$51,501, down \$69,993 from 2016. The 2017 Project list is shown below:

Barksdale (Nolander)	\$2,500
Cable (Big Pine Drive)	\$6,000
Port Wing (Beckman)	\$3,000
Tripp (Lavin/DeChamps)	\$10,000
Flood Related Damage	\$30,000

WHEREAS, there are sufficient funds in the committed fund balance for this.

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 26th day of October, approve designation of \$19,606 to the Town of Lincoln for bridge construction costs; *and*,

BE IT FURTHER RESOLVED, that the 2022 Budget is modified as follows:

Increase Expenditures: 100-00-53319-50790 by \$19,606

Increase Fund Balance: 100-00-49301 by \$19,606

Motion by Crandall, seconded by Zepczyk to adopt Resolution No. 2021-90 Bridge Aid Allotment Resolution to the Town of Lincoln for 2016 Flood Damage and Budget Amendment. Roll Call Vote: Crandall-yes; Zepczyk-yes; Milanowski-yes; Snilsberg-yes; Strand-yes; Sandstrom-yes; Dougherty-yes; Fickbohm-yes; Ray-yes; Oswald-yes; Silbert-yes; Rondeau-yes; Pocernich-yes. Motion carried, 13-0.

24. Bayfield County Resolution No. 2021-91:

Wild Rice Retreat Community Development Investment Grant Budget Amendment

WHEREAS, the Wisconsin Economic Development Corporation (WEDC) accepts applications for a Community Development Investment Grant to assist with the funding of new construction and/or redevelopment of rural downtown districts; *and*,

WHEREAS, The Wild Rice Retreat has proposed to develop a Retreat Center off Highway 13 in the Town of Bayfield located at 84860 Old San Road. Funds will be used for building and infrastructure development to attract both locals and tourists to the County to enjoy and appreciate the unique wooded environment on the shore of Lake Superior; *and*,

WHEREAS, as part of the application process for a Community Development Investment Grant, the applicants seeking the grant must provide the WEDC with a signed resolution by the local government authorizing the submittal of an application; *and*,

WHEREAS, on March 31, 2021 the Bayfield County Board of Supervisors adopted Resolution No. 2021-26, authorizing the submission of an application for a Community Development Investment Grant to the WEDC for the real property located at 84860 Old San Road; *and*,

WHEREAS, The Wild Rice Retreat development project was started and finished during 2021; *and*,

WHEREAS, the submitted grant application was approved and the appropriate funds were received and expended; *and*,

WHEREAS, a necessary budget amendment to appropriate the funds for the Wild Rice Retreat development project had not yet been drafted.

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 26th day of October, approve the following budget amendment to allocate funds for the Wild Rice Retreat development project utilizing the Community Development Investment Grant funds:

Increase Revenues: 100-00-43510-100 by \$250,000

Increase Expenditures: 100-00-56703-50720 by \$250,000

Motion by Rondeau, seconded by Sandstrom to adopt Resolution No. 2021-91 Wild Rice Retreat Community Development Investment Grant Budget Amendment. Roll Call Vote: Fickbohm-yes; Silbert-yes; Snilsberg-yes; Crandall-yes; Zepczyk-yes; Strand-yes; Oswald-yes; Dougherty-yes; Sandstrom-yes; Ray-yes; Rondeau-yes; Milanowski-yes; Pocernich-yes. Motion carried, 13-0.

25. Bayfield County Resolution No. 2021-92:

Compensation for County Board & Committee Meetings

WHEREAS, SS 59.10(3)(f) states the method of compensation for Supervisors is determined by a 2/3rd vote at its annual meeting.

WHEREAS, SS 59.13(2) states the method of compensation for committee members is determined by the County Board.

WHEREAS, the current compensation established by County action on 11/12/2019 allows for \$75 per diem for committee members and \$100 per diem for full County Board Meetings. If a Board member attends 2 or more meetings within a day or a meeting should last more than 4 hours, the member would receive a \$100 per diem.

WHEREAS, comparable County per diems were discussed at the 10/14/2021 Personnel Committee meeting.

WHEREAS, it was recommended that no changes be made.

NOW, THEREFORE, BE IT RESOLVED, the per diem for committee meetings will continue as follows at:

- \$75 per committee meeting.
 - Meetings that last over 4 hours will be compensated \$100 per diem.
 - Multiple meetings in one day will be compensated up to \$100 per day.
 - Full County Board Meetings will be compensated at \$100 per diem.
- All members are also eligible for mileage reimbursement.

Motion by Rondeau, seconded by Milanowski to adopt Resolution No. 2021-92 Compensation for County Board & Committee Meetings. Motion carried, 13-0.

26. Discussion and Possible Action Regarding 2022 Wage Scale Indexing:

Motion by Crandall, seconded by Milanowski to approve the 2022 Wage Scale Indexing increase of 2.3%. Motion carried, 13-0.

27. Discussion and Possible Action Regarding Appointment of Joseph Madison to the Bayfield County Board of Adjustment with a term ending June 30, 2024:

Silbert stated that being a member of the Board of Adjustment is an important position and asked that anyone in the future that apply come before the board to introduce themselves and speak on behalf of their appointment. No one on the board expressed opposition.

Motion by Rondeau, seconded by Ray to appoint Joseph Madison to the Bayfield County Board of Adjustment with a term ending June 30, 2023. Motion carried, 13-0.

28. Bayfield County Resolution No. 2021-93:

Information Technology (IT) Storage Area Network (SAN) Budget Amendment

WHEREAS, Bayfield County Public Health and Public Safety are reliant on information technology infrastructure; *and*,

WHEREAS, Bayfield County IT has determined that purchase of a Storage Area Network (SAN) is critical for future essential public service delivery; *and*,

WHEREAS, the Bayfield County Board of Supervisors on July 27, 2021 approved proceeding with this acquisition using County and ARPA funding.

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 26th day of October, approve the following budget amendment to transfer \$50,000 in the IT budget within the General Fund to the Capital Improvement Fund:

Decrease Expenditures:	100-31-51451-50290	by	\$34,000
	100-31-51451-50210	by	\$10,000
	100-31-51451-50343	by	<u>\$ 6,000</u>

Total Decreased Expenditures:			\$50,000
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Increase Revenues:	430-70-49201	by	\$50,000
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Increase Expenditures:	100-00-59430-50820	by	\$50,000
	430-31-57100-50820	by	\$50,000

Motion by Silbert, seconded by Sandstrom to adopt Resolution No. 2021-93 Information Technology (IT) Storage Area Network (SAN) Budget Amendment. Roll Call Vote: Sandstrom-yes; Fickbohm-yes; Dougherty-yes; Ray-yes; Silbert-yes; Oswald-yes; Snilsberg-yes; Rondeau-abstain; Milanowski-yes; Zepczyk-yes; Crandall-yes; Pocernich-yes. Motion carried, 12-0, 1 abstain.

Divine interjected stating that formal action to adopt the budget and set the tax levy would need to be done outside of the public hearing. *Chairman Pocernich* returned to items 5 and 6 in the agenda.

29. Discussion and Possible Action to Adopt the 2022 Budget:

Motion by Rondeau, seconded by Crandall to adopt the 2022 Bayfield County Budget. Roll Call Vote: Sandstrom-yes; Dougherty-yes; Fickbohm-yes; Ray-yes; Oswald-yes; Silbert-yes; Rondeau-yes; Strand-yes; Snilsberg-yes; Milanowski-abstain; Zepczyk-yes; Crandall-yes; Pocernich-yes. Motion carried, 12-0, 1 abstain.

30. Discussion and Possible Action to Set the 2022 Tax Levy:

Motion by Rondeau, seconded by Dougherty to set the 2022 tax levy at xxx. Roll Call Vote: Crandall-yes; Zepczyk-yes; Milanowski-yes; Snilsberg-yes; Strand-yes; Rondeau-yes; Silbert-yes; Oswald-yes; Ray-yes; Fickbohm-yes; Dougherty-yes; Sandstrom-yes; Pocernich-yes. Motion carried, 13-0.

31. Reports:

- a) **Redistricting Update:** Divine reported that the public hearing notice has been sent to the paper and she has been working along with Land Records Administrator, Scott Galetka to communicate with municipalities and assist them with the redistricting process. More than half of the municipalities have submitted the necessary paperwork.
- b) **Future County Board Meeting Dates:**
 - a. **November 9, 2021**
 - b. **December – To Be Decided as Necessary**
 - c. **January 25, 2022**
- c) **EMS Committee:** Abeles-Allison reported that the EMS Committee met on October 21, 2021, and elected Steve Sandstrom as Chair and Jan Victorson as Vice-Chair. The next meeting is scheduled for November 29, 2021 and will be used to set the course of action for the remainder of the committee's duration.
- d) **ARPA Project Updates:** Abeles-Allison reviewed all of the ARPA projects currently underway.

Divine informed the board that she would be undergoing training to learn how to run the election process so she may become certified to train municipal clerks and chief inspectors for elections.

32. Supervisors' Reports:

Silbert reported that the Northern Lights Nursing Home had their first audit completed in four years. The industry has been struggling with staff shortages and Medicaid reimbursements. The agency is considering decreasing the number of beds down to 50. Northern Lights has submitted an application to receive funding to install solar panels.

Sandstrom reported that the redistricting changes that will be made to his district will lead to the population of District 1 being 80% American Indian and feels it is important to make an effort to meet this populations needs. Sandstrom stated he recently met the Tribal Council at one of their monthly meetings and took the opportunity to discuss the redistricting changes. Sandstrom was invited to join the Tribal Council's quarterly retreat to discuss important issues that may impact both the County and the Tribe. Sandstrom felt the event went really well.

33. The Board may entertain a motion to move in and out of Closed Session pursuant to §19.85(1) (c) to consider the employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

*Motion by Milanowski, seconded by Rondeau to enter Executive/Closed Session at 7:38 p.m.
Motion carried, 13-0.*

Discussion took place regarding the Closed Session Minutes from July 27, 2021, the Town of Delta Landfill Agreement, the Opioid Settlement, and a review of the Bayfield County / KLR Lawsuit.

There being no further business to conduct in Executive/Closed Session, a motion was made by Rondeau, seconded by Milanowski to return to Open Session at 7:56 p.m. Motion carried, 13-0.

Open Session;

34. Adjournment:

There being no further business to come before the Bayfield County Board of Supervisors, Chairman Pocernich adjourned the meeting at 7:56 p.m.

Respectfully submitted,

LYNN M. DIVINE

Bayfield County Clerk

LMD/pat